

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DAVID REYNOLDS,

Petitioner,

vs

9:05-CV-1539

GARY GREENE, Superintendent,

Respondent.

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APPEARANCES:

OF COUNSEL:

DAVID REYNOLDS

Petitioner, Pro Se

94-B-1249

Elmira Correctional Facility

P.O. Box 500

Elmira, NY 14902

HON. ANDREW M. CUOMO

Attorney General of the

State of New York

Attorney for Respondent

120 Broadway

New York, NY 10271

ALYSON J. GILL, ESQ.

Asst. Attorney General

DAVID N. HURD

United States District Judge

**DECISION and ORDER**

Petitioner, David Reynolds, brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. By a report recommendation dated January 12, 2007, the Honorable David R. Homer, United States Magistrate Judge, recommended that the petition for a writ of habeas corpus be denied. Petitioner has filed timely objections.


Based upon a de novo determination of the report and recommendation, including the portions to which petitioner objected, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1); Rule 10, Rules Governing Section 2254 Cases.

Accordingly, it is

ORDERED that the petition is DENIED and DISMISSED in its entirety.

IT IS SO ORDERED.

Dated: May 2, 2007  
Utica, New York.

  
United States District Judge